



PUBLIC NOTICE

Federal Communications Commission
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DA 11-1847

Released: November 2, 2011

COMMENTS INVITED ON APPLICATION OF OPEN RANGE COMMUNICATIONS INC. TO DISCONTINUE INTERCONNECTED VOIP SERVICES

WC Docket No. 11-183
Comp. Pol. File No. 1019

MAILED

NOV 4 - 2011

FCC Mail Room

Comments Due: November 17, 2011

On October 6, 2011, Open Range Communications Inc. (Open Range or Applicant), located at 6430 S. Fiddler's Green Circle, Suite 500, Greenwood Village, CO 80111, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of a certain interconnected Voice over Internet Protocol (VoIP) service in Alabama, Arkansas, California, Colorado, Delaware, Georgia, Illinois, Indiana, New Jersey, Ohio, Pennsylvania, South Carolina and Wisconsin (Service Areas).¹

Open Range indicates that it currently provides interconnected VoIP service to customers located in its service territory in the Service Areas. Open Range, however, states that it now seeks authority to begin discontinuing its provision of interconnected VoIP service to customer in the Service Areas on or after November 7, 2011, subject to Commission authorization. Open Range maintains that if it discontinues service, customers will still be able to seek substitute service from alternative voice service providers. Open Range indicates that on October 6, 2011, it provided written notification of the proposed discontinuance to all affected customers via U.S. Mail sent to each customer's billing address. Open Range asserts that it would be considered non-dominant with respect to the interconnected VoIP service it plans to discontinue.

In accordance with section 63.71(c) of the Commission's rules, Open Range's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Open Range that the grant will not be automatically effective. In the application and customer notice, Open Range indicates that it plans to discontinue interconnected VoIP service to all affected customers in the Service Areas on or after November 7, 2011, subject to Commission authorization. Accordingly, pursuant to section 63.71(c) and the terms of Open Range's application and notice, absent further Commission action, Open Range may terminate its provision of interconnected VoIP service in the Service Areas on or after **December 3, 2011**. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

¹ The application was subsequently received in the Competition Policy Division of the Wireline Competition Bureau on October 28, 2011.

This proceeding is considered a "permit but disclose" proceeding for purposes of the Commission's ex parte rules, 47 C.F.R. §§ 1.1200-1.1216. Comments objecting to this application must be filed with the Commission on or before **November 17, 2011**. Such comments should refer to **WC Docket No. 11-183 and Comp. Pol. File No. 1019**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

The application will be available for public inspection and copying during regular business hours at the FCC Reference Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554, (202) 418-0270. A copy of the application may also be purchased from the Commission's duplicating contractor, Best Copy and Printing, Inc., 445 12th Street, S.W., Room CY-B402, Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, or via e-mail at FCC@BCPIWEB.COM. People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), carmell.weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), rodney.mcdonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.